

**Amendments to the Claims:**

A listing of the entire set of pending claims (including amendments to the claims, if any) is submitted herewith per 37 CFR 1.121. This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Currently Amended) Record carrier ~~[[ (1) ]]~~ comprising a predetermined spiral which spiral ~~is~~ ~~can be~~ described using parameters, the record carrier further comprising a side-channel carrying side-channel information encoded by modulating at least one of the parameters being modulated in a pre-determined way, wherein the modulation of the at least one of the parameters is a low frequency modulation below 1 Hz, and wherein the modulation of the at least one of the parameters is within the predetermined upper and lower boundaries of parameters defined by the record carrier type.

2. (original) Record carrier as claimed in claim 1, wherein the predetermined spiral is for storing information in sectors, the sectors being addressable with bit-addresses, the relation between the bit-addresses and the parameters describing the spiral approximately given by the following formula:

$$\left\{ \begin{array}{l} r = \frac{D_{tp}}{2\pi} \Phi \\ \varphi = \Phi \bmod 2\pi \end{array} \right. , \quad \Phi = \sqrt{\frac{4\pi L_{cb}}{D_{tp}} \ell + (\Phi_0)^2}$$

where  $r$  and  $\varphi$  are polar co-ordinates,  $\Phi$  is the cumulative angle,  $L_{cb}$  is the channel-bit length,  $D_{tp}$  is the trackpitch,  $\Phi_0$  is the angle at which the first bit on the spiral is written, and  $\ell$  is the bit-address of a sector.

3. (previously presented) Record carrier as claimed in claim 1, wherein the parameter modulated is the channel bit length.
4. (original) Record carrier as claimed in claim 3, wherein the channel bit length in a first area has a different value than the channel bit length in another, second area.
5. (previously presented) Record carrier as claimed in claim 3, wherein the channel bit length is modulated into different bands (A,B,C,D) on the record carrier,
6. (original) Record carrier as claimed in claim 5, wherein the channel bit length modulated is constant within a band.
7. (previously presented) Record carrier as claimed in claim 5, wherein bits forming the side-channel are encoded in the parameters modulated in each band.
8. (previously presented) Record carrier as claimed in claim 1, wherein the parameter modulated is the trackpitch.
9. (Cancelled)
10. (original) Record carrier as claimed in claim 1, wherein the side-channel is used in an information access and/or copy protection system.

11. (original) Record carrier as claimed in claim 1, wherein the side-channel is used to distinguish a read-only record carrier from recordable and rewritable record carriers.

12. (Currently Amended) Record carrier as claimed in claim 1, wherein the record carrier further comprises a computer program comprising software arranged for performing an integrity check of the record carrier without without the need for external contact, or key-number information from a label to be entered by a user, the integrity check comprising the steps of:

detecting the side-channel on the record carrier;

detecting spiral information on the record carrier;

comparing the detected side-channel with the detected spiral information to determine whether the record carrier is original;

declaring the record carrier as original in the case where the comparison results in a match, and;

declaring the record carrier as a copy in the case where the comparison does not result in a match.

13. (Cancelled)